

1 UNITED STATES DISTRICT COURT
2
3 NORTHERN DISTRICT OF CALIFORNIA

4 THEA VASILOPOULOS, an individual,
5
6 Plaintiff,

7 vs.

8 UNITED AIRLINES, INC., a Delaware
9 corporation; and DOES 1-50, inclusive,
10 Defendants.

No.:4:17-cv-05983 YGR

*Assigned to Honorable Yvonne Gonzalez
Rogers*

**STIPULATED PROTECTIVE ORDER
FOR EMPLOYMENT LITIGATION
TO WHICH THE INITIAL
DISCOVERY PROTOCOLS APPLY**

Complaint Filed: August 25, 2017

11 It is hereby ordered by the Court that the following restrictions and procedures shall
12 apply to certain information, documents and excerpts from documents supplied by the
13 parties to each other in response to discovery requests:

14 1. Counsel for any party may designate any document, information contained in a
15 document, information revealed in an interrogatory response or information revealed
16 during a deposition as confidential if counsel determines, in good faith, that such
17 designation is necessary to protect the interests of the client. Information and documents
18 designated by a party as confidential will be stamped "CONFIDENTIAL." "Confidential"
19 information or documents may be referred to collectively as "confidential information."

20 2. Unless ordered by the Court, or otherwise provided for herein, the Confidential
21 Information disclosed will be held and used by the person receiving such information
22 solely for use in connection with the above-captioned action.

23 3. In the event a party challenges another party's confidential designation, counsel
24 shall make a good faith effort to resolve the dispute, and in the absence of a resolution, the
25 challenging party may thereafter seek resolution by the Court. Nothing in this Protective
26 Order constitutes an admission by any party that Confidential Information disclosed in this
27 case is relevant or admissible. Each party specifically reserves the right to object to the use
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1 or admissibility of all Confidential Information disclosed, in accordance with applicable
2 law and Court rules.

3 4. Information or documents designated as “confidential” shall not be disclosed to
4 any person, except:

- 5 a. The requesting party and counsel, including in-house counsel;
- 6 b. Employees of such counsel assigned to and necessary to assist in the
7 litigation;
- 8 c. Consultants or experts assisting in the prosecution or defense of the
9 matter, to the extent deemed necessary by counsel;
- 10 d. Any person from whom testimony is taken or is to be taken in these
11 actions, except that such a person may only be shown that Confidential
12 Information during and in preparation for his/her testimony and may
13 not retain the Confidential Information; and
- 14 e. The Court (including any clerk, stenographer, or other person having
15 access to any Confidential Information by virtue of his or her position
16 with the Court) or the jury at trial or as exhibits to motions.

17 5. Prior to disclosing or displaying the Confidential Information to any person,
18 counsel shall:

- 19 a. inform the person of the confidential nature of the information or
20 documents; and
- 21 b. inform the person that this Court has enjoined the use of the
22 information or documents by him/her for any purpose other than this
23 litigation and has enjoined the disclosure of that information or
24 documents to any other person.

25 6. The Confidential Information may be displayed to and discussed with the
26 persons identified in Paragraphs 4(c) and (d) only on the condition that prior to any such
27 display or discussion, each such person shall be asked to sign an agreement to be bound by
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1 this Order in the form attached hereto as Exhibit A. In the event such person refuses to sign
2 an agreement in the form attached as Exhibit A, the party desiring to disclose the
3 Confidential Information may seek appropriate relief from the Court.

4 7. The disclosure of a document or information without designating it as
5 “confidential” shall not constitute a waiver of the right to designate such document or
6 information as Confidential Information provided that the material is designated pursuant
7 to the procedures set forth herein no later than that latter of fourteen (14) days after the
8 close of discovery or fourteen (14) days after the document or information’s production. If
9 so designated, the document or information shall thenceforth be treated as Confidential
10 Information subject to all the terms of this Stipulation and Order.

11 8. All information subject to confidential treatment in accordance with the terms of
12 this Stipulation and Order that is filed with the Court, and any pleadings, motions or other
13 papers filed with the Court disclosing any Confidential Information, shall be filed under
14 seal to the extent permitted by law (including without limitation any applicable rules of
15 court) and kept under seal until further order of the Court. To the extent the Court requires
16 any further act by the parties as a precondition to the filing of documents under seal
17 (beyond the submission of this Stipulation and Order Regarding Confidential Information),
18 it shall be the obligation of the producing party of the documents to be filed with the Court
19 to satisfy any such precondition. Where possible, only confidential portions of filings with
20 the Court shall be filed under seal.

21 9. At the conclusion of litigation, upon written request, the Confidential Information
22 and any copies thereof shall be promptly returned to the producing party or certified as
23 destroyed, except that the parties’ counsel shall be permitted to retain their working files on
24 the condition that those files will remain confidential.

25 The foregoing is entirely without prejudice to the right of any party to apply to the
26 Court for any further Protective Order relating to confidential information; or to object to
27 the production of documents or information; or to apply to the Court for an order
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1 compelling production of documents or information; or for modification of this Order. This
2 Order may be enforced by either party and any violation may result in the imposition of
3 sanctions by the Court.

4 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

5
6 DATED: January 16, 2018

7 REED SMITH LLP

8
9 By: /s/ Eric M. Walder
10 Julia Y. Trankiem
11 Eric M. Walder
12 Attorneys for Defendant
13 United Airlines, Inc.

14 DATED: January 17, 2018

15 BROCK & GONZALES, LLP

16 By: /s/ Sheryl L. Maccarone
17 Robert T. Biegler
18 D. Aaron Brock
19 Christopher P. Brandes
20 Sheryl L. Maccarone
21 Attorneys for Plaintiff
22 Thea Vasilopoulos

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 DATED: January 23, 2018

25 
26 Yvonne Gonzalez Rogers
27 United States District Court Judge
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EXHIBIT A

I have been informed by counsel that certain documents or information to be disclosed to me in connection with the matter entitled Thea Vasilopoulos v. United Airlines, Inc. have been designated as confidential. I have been informed that any such documents or information labeled “CONFIDENTIAL – PRODUCED PURSUANT TO PROTECTIVE ORDER” are confidential by Order of the Court.

I hereby agree that I will not disclose any information contained in such documents to any other person. I further agree not to use any such information for any purpose other than this litigation.

DATED: _____

Signed in the Presence of: _____ (counsel of record)